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4/13/04

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))			Docket No. 15124	
In Re Application Of: KOJI TOKUNAGA				
Serial No. 09/994,960		Filing Date November 27, 2001		Examiner Scott Louis Weaver
				Group Art Unit 2645
Title: <b>PORTABLE PHONE HAVING RECORDING FUNCTION FOR RECORDING CALL-AUDIO WITH USING THE MINIMUM CAPACITY OF MEMORY</b>				
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450			APR 1 9 2004 Technology Center 2600	
<b>37 CFR 1.97(b)</b>				
1. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.				
<b>37 CFR 1.97(c)</b>				
2. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:				
<input checked="" type="checkbox"/> the statement specified in 37 CFR 1.97(e);				
<b>OR</b>				
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).				

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
15124

In Re Application: **KOJI TOKUNAGA**

Serial No.  
09/994,960

Filing Date  
November 27, 2001

Examiner  
Scott Louis Weaver

Group Art Unit  
2645

**PORTABLE PHONE HAVING RECORDING FUNCTION FOR RECORDING CALL-AUDIO WITH  
USING THE MINIMUM CAPACITY OF MEMORY**

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**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

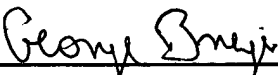
Technology Center 2600

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-1013 SSMP**  
as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.

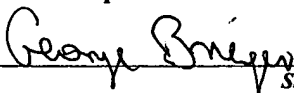
**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F: _____)
(Date) _____
Signature _____
Typed or Printed Name of Person Signing Certificate _____

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on <b>April 9, 2004</b> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
 Signature of Person Mailing Correspondence
George Brieger
Typed or Printed Name of Person Mailing Certificate

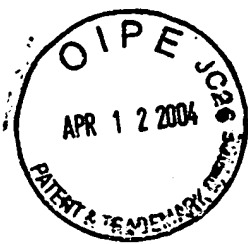
\*This certificate may only be used if paying by deposit account.

  
Signature

Dated: **April 9, 2004**

**George Brieger**  
Registration No. 52,652  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530

CC:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Koji Tokunaga

**Examiner:** Scott Louis Weaver

**Serial No:** 09/994,960

**Art Unit:** 2645

**Filed:** November 27, 2001

**Docket:** 15124

**For:** PORTABLE PHONE HAVING  
RECORDING FUNCTION FOR  
RECORDING CALL-AUDIO WITH  
USING THE MINIMUM CAPACITY OF  
MEMORY

**Date:** April 9, 2004

**Confirmation:** 1702

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

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**STATEMENT PURSUANT  
TO 37 C.F.R. § 1.97(c)(1) and (e)(1)**

Sir:

I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

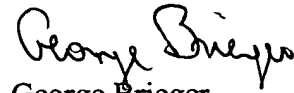
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on April 9, 2004.

Dated: April 9, 2004

  
George Brieger

Accordingly, it is respectfully requested that the accompanying  
Information Disclosure Statement be considered with respect to the above-identified  
application.

Respectfully submitted,



George Brieger  
Registration No. 52,652

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

GB:eg



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Koji Tokunaga

**Examiner:** Scott Louis Weaver

**Serial No:** 09/994,960

**Art Unit:** 2645

**Filed:** November 27, 2001

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

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**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following reference, which is also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Japanese Laid-Open Patent Application No. HO 2-168764 dated June 28, 1990, together with English language Abstract.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 9, 2004.

Dated: April 9, 2004

  
George Brieger

The reference was cited in an Official Action dated February 5, 2004, received from the Japanese Patent Office. Applicant is submitting a copy of the above-cited reference, together with an English translation of the Examiner's comments regarding the reference from the Official Action. The relevance of the reference is described in the Official Action.

In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the reference was cited. The relevance to the pending U.S. patent application is that the reference was cited in a foreign patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R§1.97(c), a statement is enclosed.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "George Brieger".

George Brieger  
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